



## New Legislation

The attached text is an 8-page re-formatted version of the South African Use of Official Languages Act of 2012. We did not use the government's PDF because of its large file-size, among other reasons, of a pedagogical kind.

Doing a CU version in this way has allowed us to do is to break up the Act into discrete parts that should make it much more digestible, and allow us to deal with the whole document.

The convention in legal practice is to refer to pages and lines, and we have left the line-numbers in, but we will refer to the pages of our booklet, and not those of the Act.

The original PDF of the Act can be obtained from the Government Gazette office, if required.

The Act is designed (page 1):

*"To provide for the regulation and monitoring of the use of*

*official languages by national government for government purposes; to require the adoption of a language policy by a national department, national public entity and national public enterprise; to provide for the establishment and functions of a National Language Unit; to provide for the establishment and functions of language units by a national department, national public entity and national public enterprise; to provide for monitoring of and reporting on use of official languages by national government; to facilitate intergovernmental coordination of language units; and to provide for matters connected therewith.”*

The Objects of Act (page 3) are:

- (a) to regulate and monitor the use of official languages for government purposes by national government;*
- (b) to promote parity of esteem and equitable treatment of official languages of the Republic;*
- (c) to facilitate equitable access to services and information of national government; and*
- (d) to promote good language management by national government for efficient public service administration and to meet the needs of the public.*

On our page 4, you can see that this act expects every government department, entity and enterprise, to have in place within 18 months of the Act (i.e. by April, 2014) a language policy, which it describes, and which demands that at least three of the national languages are to be named for use.

On pages 5 and 6, the Act prescribes the establishment and functions of Language Units at national and other levels.

On page 6, the monitoring of the language policy is given as the responsibility of the Minister of each department.

On page 7, the Act states that each Minister must make a report annually to the National Assembly.

On page 7 also, the intention is given of forming “intergovernmental forums” so as to make the treatment of language matters more uniform across government departments.

Page 8 refers to regulation and mentions the Pan South African Language Board (PanSALB), which, as we know, is established under the South African Constitution.

## **Comment**

Clearly, this Act is made with the intention of pushing language matters forward by stipulating, in a bureaucratic manner, levels of compliance according to various criteria, in the field of languages.

Up to now (October 2014) we have not heard of a lot of activity as a consequence of this Act. Nor would we expect such response to be even across the many ministries, entities and enterprises. What we would expect is a rush to comply, and a new small industry of consultancy work, set up to provide

government departments with paperwork to assist them to pass muster in terms of this Act.

None of this will of itself generate any good consequences to the benefit of the languages and the language-speakers, writers and readers concerned.

This course of ours does not teach any language, but it looks at the way the society deals with language on the whole. In the process, we have today looked at a full Act of the National Assembly.

In contrast to language, which is spontaneously created in the course of its use, a government Act is narrowly confined in a fixed form, and dependent on the existence of numbers of institutions which it requires to give social effect to the formal words of the Act.

- The above is to introduce the original reading-text: [Use of Official Languages Act, 2012, text in 8 pages.](#)
- To download any of the CU courses in PDF files [please click here.](#)